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19 Attorneys for Defendants  
20 Kellogg Co., Kellogg USA, Inc., Kellogg Sales Co.

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

SABENA LAKSHMI KAMMULA,  
individually and on behalf of all others  
similarly situated,

Plaintiff,  
v.

KELLOGG COMPANY, a Delaware  
corporation; KELLOGG USA, INC., a  
Michigan corporation; KELLOGG  
SALES COMPANY, a Delaware  
corporation, and DOES 1 through 100,  
inclusive,

Defendants.

) No. CV 09-08102 (MMM) (RZx)

) **DEFENDANTS' EX PARTE  
APPLICATION TO CONTINUE  
HEARING ON PLAINTIFF'S  
MOTION FOR CLASS  
CERTIFICATION**

) [Memorandum of Points and Authorities,  
Proposed Order, and Declaration of  
Richard P. Steinken filed concurrently  
herewith]

1                   **Ex Parte Application to Continue Class Certification Hearing**

2                   Pursuant to Local Civil Rule 7-19, Defendants Kellogg Company, Kellogg  
3 USA, Inc., and Kellogg Sales Company (the “Defendants”) respectfully submit this *ex*  
4 *parte* application to request that this Court continue the hearing on Plaintiff Sabena  
5 Lakshmi Kammula’s (the “Plaintiff’s”) motion for class certification, currently  
6 scheduled for April 12, 2010, to May 12, 2010, and order that the deadlines for filing  
7 opposition and reply briefs be set for April 21, 2010 and April 28, 2010, respectively.

8                   Defendants seek this 30-day continuance to permit them the opportunity to  
9 serve written discovery and depose Plaintiff prior to filing their opposition to  
10 Plaintiff’s motion for class certification. In the alternative, if the Court is unavailable  
11 on May 12, 2010, Defendants request continuance of the hearing to an alternative date  
12 that will afford Defendants the opportunity to conduct pre-certification discovery.

13                  The application to continue the hearing on Plaintiff’s motion for class  
14 certification is based upon this application, the memorandum of points and authorities  
15 in support of the application, and the declaration of Richard P. Steinken filed  
16 concurrently herewith. Defendants have advised counsel for Plaintiff that this *ex*  
17 *parte* request will be made to this Court. Plaintiff’s attorneys have indicated that they  
18 will oppose this *ex parte* application.

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1 DATED: March 5, 2010

Respectfully Submitted,

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/s/ Kenneth K. Lee

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Kenneth K. Lee

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